

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently amended) An isolated nucleic acid selected from the group consisting of:
  - (a) a nucleic acid comprising the coding region of a nucleotide sequence selected from the group consisting of SEQ ID NOs:1 and 11;
  - (b) a nucleic acid encoding a protein comprising an amino acid sequence selected from the group consisting of SEQ ID NOs:2 and 12;
  - (c) a nucleic acid encoding a protein comprising a modified sequence of an amino acid sequence selected from the group consisting of SEQ ID NOs:2 and 12, wherein the protein encoded by said nucleic acid comprises a bHLH domain, functions as a bHLH type transcription factor, and differs from SEQ ID NO:2 or 12, respectively, by mutation at no more than 100 positions;
  - (d) a nucleic acid that (i) hybridizes in 6x SSC (0.9 M sodium chloride, 0.09 M sodium citrate), 0.5% SDS, 10 mM EDTA, 5x Denhardt's solution (0.1% (w/v) Ficoll, 0.1% (w/v) polyvinylpyrrolidone, 0.1% (w/v) BSA), 10 mg/ml denatured salmon sperm DNA at 60°C [[60°]] to a probe consisting of the complement of a nucleotide sequence selected from the group consisting of SEQ ID NOs:1 and 11, (ii) is at least 90% identical to SEQ ID NO:1 or 11, and (iii) encodes a protein that comprises a bHLH domain and functions as a bHLH type transcription factor; and
  - (e) a nucleic acid encoding a partial peptide of a protein selected from the group consisting of SEQ ID NOs:2 and 12 that differs from the sequence of one of SEQ ID NO:2 or 12 at no more than 100 positions.

2. (Currently amended) The nucleic acid of claim 1 [[1(c)]], wherein the ~~modification referred to in part (c) is nucleic acid encodes the protein of (c), said protein of (c) comprising a sequence differing from SEQ ID NO:2 or 12 by a substitution or deletion of fewer [[less]] than 20 amino acid residues in the sequence of SEQ ID NO:2 or 12.~~

3. (Currently amended) The nucleic acid of claim 1 [[1(c)]] wherein the ~~modification referred to in part (c) is nucleic acid encodes the protein of (c), said protein of (c) comprising a sequence differing from SEQ ID NO:2 or 12 by a conservative substitution of one or more amino acids in the sequence of SEQ ID NO:2 or 12.~~

4. (Currently amended) The nucleic acid of claim 1 [[1(c)]], wherein the ~~modification referred to in part (c) is nucleic acid encodes the protein of (c), said protein of (c) comprising a sequence differing from SEQ ID NO:2 or 12 by an addition of one or more amino acids to the sequence of SEQ ID NO:2 or 12 that results in a fusion protein.~~

5. (Original) A vector into which the nucleic acid of claim 1 is inserted.

6. (Previously presented) A transformant cell carrying the nucleic acid of claim 1.

7. (Canceled)

8. (Withdrawn) A method for producing a protein or peptide encoded by the nucleic acid of claim 1, comprising the steps of:

- (a) culturing a transformant carrying the nucleic acid of claim 1 or a vector into which the nucleic acid of claim 1 is inserted;
- (b) allowing the transformant to express the protein or peptide; and
- (c) recovering the expressed protein or peptide from the transformant or culture supernatant.

9. (Previously presented) An isolated nucleic acid comprising at least 15 nucleotides, wherein the nucleic acid is completely complementary (a) to at least a portion of a nucleotide sequence comprising a sequence selected from the group consisting of SEQ ID NOs:1 and 11 that includes the translation initiation codon of SEQ ID NO:1 or 11, respectively, or (b) to the complementary strand of (a).

10. (Previously presented) An isolated nucleic acid that has a homology of at least 70% to the sequence of SEQ ID NO:1 or 11 and encodes a polypeptide that comprises a bHLH domain and functions as a bHLH type transcription factor.

11. - 14. (Canceled)

15. (Previously presented) A transformant cell carrying the vector of claim 5.

16. (Previously presented) The nucleic acid of claim 1, wherein the nucleic acid comprises the coding region of a nucleotide sequence selected from the group consisting of SEQ ID NOs:1 and 11.

17. (Previously presented) The nucleic acid of claim 1, wherein the nucleic acid encodes a protein comprising an amino acid sequence selected from the group consisting of SEQ ID NOs:2 and 12.

18. (Previously presented) The nucleic acid of claim 1, wherein the nucleic acid encodes a protein consisting of an amino acid sequence selected from the group consisting of SEQ ID NOs:2 and 12.

19. (Previously presented) An isolated nucleic acid that encodes a polypeptide comprising a bHLH domain of a protein selected from the group consisting of SEQ ID NOs:2 and 12.